

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NATHANIEL SPENCER, JR.,	:	CIVIL ACTION
Petitioner,	:	
	:	
v.	:	No. 21-843
	:	
MS. MASON, et al.	:	
Respondents.	:	

ORDER

JOHN M. GALLAGHER, J.

AND NOW, this 30th day of June, 2021, upon careful and independent consideration of the petition for a writ of habeas corpus (ECF No. 1), and after review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice (ECF No. 8), **IT IS ORDERED** that:

1. The Report and Recommendation (ECF No. 8) is **APPROVED** and **ADOPTED**;
2. The petition for a writ of habeas corpus (ECF No. 1) is **DISMISSED** without prejudice;
3. There is no probable cause to issue a certificate of appealability; and
4. The Clerk of the Court shall mark this case closed for statistical purposes.

BY THE COURT:

/s/ John M. Gallagher
JOHN M. GALLAGHER
U.S. DISTRICT COURT JUDGE